6541866/2022/VIG-I-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegation of not to pay proper attention before the 2nd QC Inspection Team on 20.05.2020 in work "Construction of CC roads and drains in BC Colony of Makkapeta GP of Vatsavai (M) Krishna District - CC.No.1297/2022 in WP.No.21148/2021 which leads to huge embarrassment to the Government - Legal complications - Disciplinary proceedings under Rule 20 of APCS(CC&A) Rules, 1991 against Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT

G.O.Rt.No. 528

Dated :29 -06-2022 .
Read the following:-

1)First QC Inspection Report dated:17.11.2018.
2)Second QC Inspection Report dated:20.05.2020.
3)Orders of High Court of A.P, dated 07.10.2021 in W.P.No.21148/2021 fled by Sri Madineni Venkata Rao R/o Lingagudem village, Vatsavai (M), Krishna District.
4)Notice in Contempt Case No.1297/2022 fled by Sri Madineni Venkata Rao R/o Lingagudem village, Vatsavai (M), Krishna District.
5) G.O.Ms.No.26, PR&RD(VIG.I)Department, dated:29.06.2022.

ORDER:

In pursuance of the sanction accorded in the reference 5th read above, under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of A.P. Revised Pension Rules, 1980, for instituting departmental proceedings against Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service is informed that an enquiry will be held only in respect those article of charges as are not admitted. He should, therefore, specifcally admit or deny article of charge.

5. Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classifcation, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte, based on the material available on record.

P.T.O

6. Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service is invited to Rule-24 of the APCS (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNEMNT

To
Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service (through the ENC, PR, Vijayawada).
The ENC, PR, Vijayawada (in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The PR & RD (Estt-I) Department.
SF/SC

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI B. RAJARAO, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, PRESENTLY RETIRED FROM SERVICE

-:0:-

CHARGE:

That as per quality control norms and procedures, the 1st Quality Control Inspection was conducted on **17.11.2018** in the work "Construction of CC roads and drains in BC Colony of Makkapeta GP of Vatsavai (M) Krishna District and proposed no recovery. During the inspection time Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service was worked as EE., during the inspection time. The said 1st QC report dt:**17.11.2018** was intimated to the concerned AEE, DEE & EE. Subsequently, as per the orders , 2nd QC inspection team was attended the above work on **20.05.2020** and conducted inspection. The first QC Team has proposed no recovery against the work, whereas the 2nd QC Team Report has proposed for recovery of Rs.48.95 lakhs in the work. On Close observation, it is observed that, when 2nd QC Team inspected the work, the concerned AEE/AE, DEE & EE have not brought the 1st QC report to the notice of 2nd QC Team at the time of inspection to facilitate them to understand the said report and its findings. Despite having information on hand, the AEE/AE, DEE & EE, who worked at the time of 2nd Inspection Team have failed to bring to the notice of 2nd QC Team about the 1st QC Report on the work. Thereby, unnecessary complications and legal issues have been arose and huge embarrassment was created in dealing with legal issues on payments. The concerned AEE/AE, DEE & EE should have taken proper care at the time of visit of 2nd Inspection Team and failed to bring the connected records including QC reports to the concerned authorities. This has caused huge embarrassment to the Government before the Hon'ble High Court of A.P.

2. Thus, Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNEMNT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI B. RAJARAO, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, PRESENTLY RETIRED FROM SERVICE

Basis:

Whereas as per quality control norms and procedures, the 1st Quality Control Inspection was conducted on 17.11.2018 in the work ""Construction of CC roads and drains in BC Colony of Makkapeta GP of Vatsavai (M) Krishna District and proposed no recovery. During the inspection time Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service was worked as EE., during the inspection time. The said 1st QC report dt:17.11.2018 was intimated to the concerned AEE, DEE & EE. Subsequently, as per the orders, 2nd QC inspection team was attended the above work on 20.05.2020 and conducted inspection. The first QC Team has proposed no recovery against the work, whereas the 2nd QC Team Report has proposed for recovery of Rs.48.95 lakhs in the work. On Close observation, it is observed that, when 2nd QC Team inspected the work, the concerned AEE/AE, DEE & EE have not brought the 1st QC report to the notice of 2nd QC Team at the time of inspection to facilitate them to understand the said report and its findings. Despite having information on hand, the AEE/AE, DEE & EE, who worked at the time of 2nd Inspection Team have failed to bring to the notice of 2nd QC Team about the 1st QC Report on the work. Thereby, unnecessary complications and legal issues have been arose and huge embarrassment was created in dealing with legal issues on payments. The concerned AEE/AE, DEE & EE should have taken proper care at the time of visit of 2nd Inspection Team and failed to bring the connected records including QC reports to the concerned authorities.

2. Thus the Government Servant Sri B. Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service failed to obey the orders of higher authorities and gross negligence on his legitimate duties. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNEMNT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI B. RAJARAO, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, PRESENTLY RETIRED FROM SERVICE ARE PROPOSED TO BE SUSTAINED:

1)First qc inspection report dated:17.11.2018.
2)Second QC Inspection Report dated:20.05.2020.
3)Orders of High Court of A.P, dated 07.10.2021 in W.P.No.21148/2021 fled by Sri Madineni Venkata Rao R/o Lingagudem village, Vatsavai (M), Krishna District.
4)Notice in Contempt Case No.1297/2022 fled by Sri Madineni Venkata Rao R/o Lingagudem village, Vatsavai (M), Krishna District.

GOPAL KRISHNA DWIVEDI
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SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST Sri . Rajarao, Executive Engineer, PRI Division, Vijayawada, presently retired from service IS PROPOSED TO BE SUSTAINED :

- NIL –

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNEMNT

SECTION OFFICER